

1 BEFORE THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

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3 CLARK COUNTY NATURAL RESOURCES  
4 COUNCIL and FUTUREWISE,

5 Petitioners,

6  
7 v.

8 CLARK COUNTY, WASHINGTON,

9  
10 Respondent,

11 And,

12  
13 JOHN AND GEORGIANA WARTA, GREEN  
14 ARBOR DEVELOPMENT, INC., MATTHEW and  
15 DENISE HOUGHTON

16 Intervenor.

Case No. 09-02-0002

**ORDER GRANTING MOTION TO  
DISMISS**

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18 THIS MATTER comes before the Board on motion of Clark County Natural Resources  
19 Council (CCNRC) to dismiss the CPZ2008 – 00005 (Schwarz) portion of Issue 2 in its  
20 Petition for Review. Additionally, John Karpinski has moved to withdraw as counsel.

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22 Counsel may withdraw without approval of the Board so that motion will not be addressed.

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24 An action may be dismissed upon motion of a petitioner prior to presentation of the  
25 respondent's case.<sup>1</sup> However, the Board notes that the Petition in this matter was filed  
26 jointly by CCNRC and Futurewise and Futurewise has not joined in the Motion to Dismiss.  
27 Consequently, the motion shall be granted only as to CCNRC. Futurewise shall remain as  
28 the Petitioner in regards CPZ2008 – 00005 (Schwarz).  
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<sup>1</sup> WAC 242-02-720(2).  
ORDER GRANTING MOTION TO DISMISS  
Case No. 09-2-0002  
March 18, 2009  
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1 Dated this 18<sup>th</sup> day of March, 2009

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5 William Roehl, Board Member

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8 James McNamara, Board Member

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11 Nina Carter, Board Member